

motion of Mr. Grimes, referred to the Committee on the Judiciary.

A bill to be entitled an act to legitimate certain children of Benjamin Bryant—read second time, and, on motion of Mr. Bourland, ordered to be engrossed.

A bill to be entitled an act to legalize and make valid the official acts of Chief and Associate Justices, while sitting as boards of Land Commissioners, between the first Monday in September, 1845, and the first day of January, 1846—read second time, and, on motion of Mr. Wallace, referred to the Committee on Public Lands.

Mr. Williams offered the following resolution:

*Resolved*, That the Committee on State Affairs be instructed to inquire into the expediency of proposing an amendment to the third section of the tenth article of the Constitution, so as to authorize the Legislature to dispose of the lands heretofore appropriate for school purposes, otherwise than by lease, as required by said section."

Adopted.

On motion, of Mr. Williamson, the Senate adjourned until to-morrow morning; 10 o'clock.

Wednesday 10 o'clock, A. M.  
January 5th, 1848.

Senate met—roll called—the following Senators answered to their names:

Messrs—Abbott, Bourland, Brashear, Bache, Burleson, Cuny, Dancy, Gage, Grimes, Jewett, McRae, Navarro, Parker, Perkins, Phillips, Wallace, Williams, Williamson and Wooten,—quorum present;

The Journal of the preceding day was read and adopted.

Mr. Perkins, Chairman of the Committee on Engrossed bills made the following report.



Committee Room, }  
January 5th, 1848. }

HON. J. A. GREER,  
*President of the Senate:*

The Committee on engrossed bills have examined the following bills—viz:

A bill to be entitled an act to change the name of Robert Franklin Cypert, to Robert Franklin Miller.

A bill to be entitled an act to legitimate certain children of Benjamin Bryant, and directed me to report the same correctly engrossed.

S. W. PERKINS,  
Chairman.

A message was received from the House of Representatives through its Chief Clerk, Mr. Ben. F. Hill, informing the Senate that the House had passed the following bills and Joint Resolutions—viz:

A bill to be entitled an act to incorporate and establish Guadalupe College.

A bill to incorporate the Union Marine and Fire Insurance Company.

A bill to be entitled an act supplementary to an act to organize the County of Upshur.

A bill to be entitled an act for the relief of those persons who are indebted to the State on account of public dues payable in the Promissory notes of the late Republic.

Joint Resolution for the relief of John S. McNairy.

Preamble and Joint Resolutions of the Legislature of the State of Texas requesting the Senators and Representatives of Texas, in the Congress of the United States to urge the passage of a law for the payment of the volunteers called out from this State under the requisitions of Col. S. R. Curtis.

Mr. Parker offered the following resolution;

*Resolved*, That the committee on the Judiciary, take into consideration, the expediency of so amending the act organizing the Supreme Court of the State, as to provide that the State shall be divided into two Judicial Districts, and that the Court shall be holden at the town of Nacogdoches in the county of



Nacogdoches, and Austin in Travis County, and report to the Senate the result of their deliberation."

Adopted.

On motion of Mr. Williams, Joint Resolution authorizing the Commissioner of the General Land Office to issue a patent to Adolphus Sterne, assignee of Maria Josefa Sanchez was taken up and placed among the orders of the day.

On motion of Mr. Grimes, a bill to be entitled an act to prevent retailers of Spirituous or vinious liquors, from furnishing or supplying slaves therewith, without the written consent of the master or overseer of said slaves, was taken up and placed among the orders of the day.

The Senate proceeded to the orders the day.

The report of the committee on Finance on a bill to be entitled an act to authorize and require the Commissioner of the General Land Office, or other receiver of public dues in said office to receive gold and silver at the rate of one dollar thereof, for five dollars in Texas Promissory notes for all Government dues (except taxes) upon lands and patents for land.—was read and adopted—and bill as amended was ordered to be engrossed.

A bill to be entitled an act to provide for marking in part the boundary line between the Land Districts of Fannin and Nacogdoches, read second time.

On motion of Mr. Gage, the blank was filled with three, and bill as amended ordered to be engrossed.

Report of Committee on claims and accounts, on Joint Resolution for the relief of the citizens of Texas who had their property destroyed and taken off by the Mexican Government during the Revolution; read and adopted.

Joint Resolution read second time.

On motion of Mr. Williamson the blank was filled with five; Resolution as amended ordered to be engrossed.

A bill to be entitled an act establishing more permanently the seat of Justice of Collin county; read third time and passed.

Joint Resolution authorizing the Commissioner of the General Land Office to issue a patent to Adolphus Sterne assignee of Maria Josefa Sanchez; read third time and passed.

A bill to be entitled an act to change the name of Robert Franklin Cypert, to Robert Franklin Miller; read third time and passed.



A bill to be entitled an act to legitimize certain children of Benjamin Bryant; read third time and passed.

A bill to be entitled an act to prevent retailers of spirituous or vinous liquors from furnishing or supplying slaves therewith, without the written consent of the master or overseer of said slaves—read second time.

Mr. Grimes offered a substitute which was read;

And, on motion of Mr. Williamson, the bill together with the substitute was referred to the committee on the Judiciary.

The following communication from the Secretary of State accompanied by a caption of the acts of the last Legislature, was read.

Secretary of State's office, }  
Austin January 4, 1848. }

*To the Honorable*

*The President of the Senate:*

Sir—In compliance with a resolution of the Senate of the 31st ultimo, I have the honor to communicate herewith a complete list of the captions of all the Acts and Joint Resolutions passed by the first Legislature of the State—the enrolled copies of which are on file in this office.

The captions furnished correspond exactly with those published in the printed volume of Laws—with which they have been compared, as well as with the original.

I have the honor to be,

very respectfully,

your ob't. serv't.

W. D. MILLER.

*Secretary of State.*

On motion of Mr. Wallace, it was laid on the table.

A bill to be entitled an act to amend the 18th and 74th sections of the act to regulate proceedings in the District Courts read second time.

Mr. Wallace offered the following amendments:

In the caption strike out "and" before "74," and after "74" insert "and" 75—in section 1st, strike out "and" before 74, and insert "and 75" after "74"—and at the conclusion add the words as follows:



SEC. 75. When any person may anticipate the institution of a suit in which he may be interested, and may desire to perpetuate the testimony of a witness to be used in such suit, he may file his petition in the District Court Clerk's office in the county where such suit sent could be instituted, representing such facts and the names of such persons known to be interested adversely to the petitioner: which petition shall be served in the same manner as other petitions are required to be served; after which, depositions may be taken and returned by any of the parties to such petition, in like manner as provided for in this act; and such depositions when so taken and returned shall, after the institution of the suit or suits contemplated, be subject to exceptions as other depositions are, and may be used in any suit or suits which may be thereafter instituted between any of the parties to the petition or those claiming under them, in like manner as if such depositions had been taken after the institution of such suit or suits.

The bill together with the amendments, on motion of Mr. Williamson, was referred to the committee on the Judiciary, with instructions that they report on the whole code of practice in the District Courts.

A bill to be entitled an act to incorporate and establish Guadalupe College—read first.

A bill to be entitled an act to incorporate the Union Marine and Fire Insurance company; read first time.

A bill to be entitled an act supplementary to an act to organize the county of Upshur; read first time.

A bill to be entitled an act for the relief of those persons who are indebted to the State on account of public dues, payable in the Promissory notes of the late Republic; read first time.

Joint Resolution for the relief of John S. McNairy—read first time.

Preamble and Joint Resolutions of the Legislature of the State of Texas, requesting the Senators and Representatives of Texas in the Congress of the United States to urge the passage of a law for the payment of the volunteers called out from this State under the requisitions of Col. S. R. Curtis; read first time.

Mr. Navarro introduced Joint Resolution, authorizing the treaty making power with Mexico, to release all forfeitures for political offences incurred by persons mentioned in the 8th ar-



title of the general provisions of the constitution of the Republic of Texas; read first time.

On motion of Mr. Cuny, the Senate adjourned until tomorrow morning 10 o'clock.

Thursday, 10 o'clock, a. m.  
January 6th, 1848.

Senate met—roll called—The following Senators answered to their names :

Messrs. Abbott, Bourland, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Grimes, Jewett, Navarro, Parker, Perkins, Phillips, Wallace, Williams and Wooten—quorum present.

The Journal of the preceding day was read and adopted.

Mr. Parker, Chairman of the Committee on Claims and Accounts, made the following Report:

Committee Room, }  
January 5th, 1848. }

Hon. J. A. GREER,  
*President of the Senate:*

The Committee on Claims and Accounts, to whom was referred the petition of Stuart Perry, with the accompanying documents, have examined his papers, and instructed me to report:—That the committee are satisfied that Mr. Perry has rendered valuable services to Texas, and that his claims are good for a considerable amount; but as the Legislature design prescribing some mode for ascertaining the just debts of Texas, the committee have instructed me to return the papers to the Senate, and recommend that they be laid upon the table, to await the further action of the Legislature, with regard to the liabilities of Texas.

ISAAC PARKER, Chairman.

Which report, on motion of Mr. Gage, was adopted.